



Z-14-08-001

**Planning Department
Zoning Staff Report and Plan Amendment Evaluation**

Zoning Commission Hearing Date: August 11, 2014

GENERAL INFORMATION

APPLICANT Beacon Management Corporation

HEARING TYPE Rezoning Request

REQUEST **R-3** (Residential Single-Family) to **CD-RM-12**
(Conditional District-Residential-Multi-Family)

CONDITIONS

1. Building materials will consist of not less than 50% brick, stone, and/or other masonry building materials.
2. Density will be limited to 80 dwelling units.
3. Building height will be limited to 2 stories.

LOCATION **3516-3520 Lewiston Road**, generally described as north of Lewiston Road and east of Fleming Road.

PARCEL ID NUMBER(S) **7836376241**

PUBLIC NOTIFICATION The notification area for this public hearing was 600 feet (Chapter 30-4-1.4 of the Land Development Ordinance requires notification of the owner of that parcel of land and the owners of all parcels of land adjoining and contiguous to that parcel of land as shown on the County tax listing). **31** notices were mailed to those property owners in the mailing area.

TRACT SIZE ~8.64 Acres

TOPOGRAPHY Undulating

VEGETATION None

SITE DATA

| | |
|-----------------------------------|---------------------------|
| Existing Use | Undeveloped |
| Adjacent Zoning | Adjacent Land Uses |
| N R-3 (Residential Single-Family) | undeveloped |
| E R-3 (Residential Single-Family) | undeveloped |

| | | |
|---|---------------------------------|-------------------------|
| W | R-3 (Residential Single-Family) | single family dwellings |
| S | O (Office) | single family dwellings |

Zoning History

| Case # | Date | Request Summary |
|--------|------|--|
| N/A | N/A | The property has been zoned R-3 since the adoption of the Land Development Ordinance in July 2011. Prior to the LDO, the property was zoned RS-12. |

ZONING DISTRICT STANDARDS

District Summary *

| | | |
|------------------------------|---|--|
| Zoning District Designation: | Existing (R-3) | Requested (CD-RM-12) |
| Max. Density: | 3.0 units per gross acre | 12.0 units per gross acre |
| Typical Uses | Primarily intended to accommodate Low density single-family detached residential development. | Primarily intended to accommodate Multi-family and similar residential uses. |

**These regulations may not reflect all requirements for all situations; see the City of Greensboro Development Ordinance for all applicable regulations for site requirements for this zoning district.*

SPECIAL INFORMATION

Overlay District Ordinance/Historic Preservation

The subject property is partially located within the Scenic Corridor Overlay District 1 (SCOD-1) of the Greensboro Urban Loop. Consult the Scenic Corridor Overlay Districts Design Manual, for detailed applicable requirements and design guidelines.

Environmental/Soils

| | |
|------------------------|--|
| Water Supply Watershed | Site drains to Greensboro Watersupply Watershed WSIII, Brush Creek |
| Floodplains | >2000ft |
| Streams | Possible stream onsite, must be identified. If stream is perennial with High Density development, a 100ft stream buffer measured from top of bank applies. If stream is intermittent, a 50ft stream buffer measured from top of bank applies. |
| Other: | Site must meet current watershed requirements, water quality and water quantity must be addressed. BE AWARE OF THE FOLLOWING: "The development shown on this plan is within five statute miles of the airport air operation area. According to Session Law 2012-200 Senate Bill 229 Part IV, the City of Greensboro encouraged and the design engineer considered alternative |

Stormwater Control Measures included in the North Carolina Best Management Practice Manual developed by NCDENR other than wet ponds or those that promote standing water”.

Utilities

Potable Water Water is available and capacity appears to be in line with request

Waste Water Sewer will need to be extended to this site, request a feasibility from Kenny Treadway 336-373-2897, water and sewer flow tracking and conformation Is also necessary contact Shane Messer 336-574-3550.

Airport Noise Cone

The subject site is partially located within the Airport Overlay (AO) District. The Airport Overlay prohibits new residential uses with densities greater than 1 unit per acre. However, when a tract is split by the boundary of the AO District, development of the entire tract may be considered exempt from this prohibition as long as the boundary line for this overlay is not adjusted more than 600 feet from the location as shown on the Zoning Map. This was intended to allow unified development of larger tracts in this area for more proficient provision of public services.

Landscaping Requirements

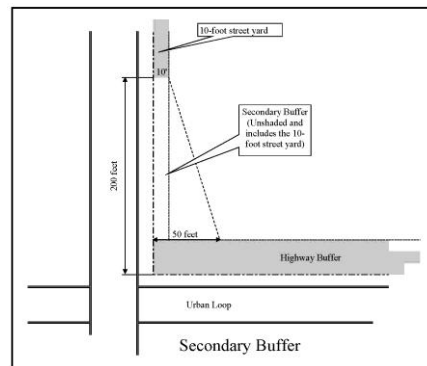
Multi-family, nonresidential and mixed-use development is subject to standards of this section, which generally requires street planting yards abutting public rights-of-way (See Sec. 30-10-2.2), buffer planting yards between different land use classifications (See Sec. 30-10-2.3) and parking lot landscaping (See Sec. 30-10-2.6).

The subject property is partially located within the Scenic Corridor Overlay District 1 (SCOD-1) of the Greensboro Urban Loop.

(B) Scenic Corridor Overlay District 1 (SCOD-1) Buffer Requirements:

(1) A natural undisturbed buffer, a minimum 40 feet wide and a maximum 75 feet wide, with an average width of 50 feet, shall be maintained along the portion of any lot adjacent to the highway right-of-way. If there are no existing canopy or understory trees in the buffer area, then the following planting rates shall apply. If existing canopy or understory trees in the buffer area do not satisfactorily provide screening that would be similar to that achieved by the planting rates, then supplemental canopy or understory trees shall be required, as determined by the Planning Director. Portions of the buffer area that do not contain significant vegetation may be graded if the Technical Review Committee grants a modification upon a finding that equal or better performance, with regard to visibility from the highway, will result from the alternate standards portrayed on the plan. In addition, the Planning Director will require the installation of plant material at locations to maximize the visual buffering. The following planting rates per 100 linear feet shall be used:

- (a) Nine canopy trees; and
- (b) 12 understory trees.



(2) A secondary natural undisturbed buffer meeting the following standards shall be maintained for a distance of 200 feet along any street right-of-way intersecting the highway right-of-way. If there are no existing canopy or understory trees in the buffer area, then the following planting rates shall apply. If existing canopy or understory trees in the buffer area do not satisfactorily provide screening that would be similar to that achieved by the planting rates, then supplemental canopy or understory trees shall be required, as determined by the Planning Director. Portions of the buffer area that do not contain significant vegetation¹ may be graded if the Technical Review Committee grants a modification upon a finding that equal or better performance, with regard to visibility from the street intersecting the highway right-of-way, will result from the alternate standards portrayed on the plan. In addition, the Planning Director will require the installation of plant material at locations to maximize the visual buffering:

- (a) The 200 foot distance requirement shall be measured from the intersection of the rights-of-way; however, the secondary buffer width and planting rate shall begin at the termination of the buffer along the highway.
- (b) The width of the secondary buffer shall proportionately decrease from 50 feet at its inception to 10 feet at its termination, with the following planting rates:
 - (i) One canopy tree per 555 square feet of buffer area; and
 - (ii) One understory tree per 420 square feet of buffer area.

SCO-1

(c) The required street planting yard meeting the width and planting rates or the Land Development Ordinance shall be provided along the street right-of-way intersecting the highway. The width and plantings of the street yard count toward achieving the overlay buffer requirements.

(3) Buffer Width Reduction:

- (a) If a minimum five-foot high earthen berm is installed in locations where a natural buffer does not exist, the minimum, maximum, and average width of the buffer may be reduced by ten feet. The earthen berm shall contain a rounded crown suitable for planting and a stabilized side slope of no greater than three-to-one (3:1).
- (b) If walls, a minimum of five feet in height, constructed of masonry, stone or pressure treated lumber, or an opaque fence, a minimum of five feet in height, are installed in locations where a natural buffer does not exist, the minimum,

maximum, and average width of the buffer may be reduced by ten feet, provided that:

- (i) The installation of the wall or fence does not disturb the critical root zone of existing trees;
- (ii) The wall or fence is installed at a location to maximize the visual screening; and
- (iii) The use of chain-link fencing with woven slats of opaque material and retaining walls are not acceptable for this buffer width reduction.

(c) The following planting rates per 100 linear feet shall be used:

- (i) Seven canopy trees; and
- (ii) 10 understory trees.

(4) Trees shall be planted a minimum of 10 feet, but no more than 50 feet, from other trees.

(5) Trees located within the required buffer area may be used to meet tree conservation requirements of the Land Development Ordinance.

Parking Lot Landscaping

SCO-1

Requiring landscaping within parking areas is intended to shade and improve the attractiveness of large areas of pavement.

Required Landscaping

Parking lot planting yards must include at least one canopy tree for every 12 parking spaces.

Required canopy tree areas must be located within the parking lot. They may be located in landscape islands, landscape divider medians between rows of parking, or in driveway medians.

Islands or other planting areas for canopy trees must have a minimum area of 200 square feet with a minimum dimension of 7 feet, measured in any direction. Islands or planting areas of less than 200 square feet may not be counted toward satisfying parking lot landscaping requirements.

The landowner may provide required landscape islands or planting areas using one or more of the planting area sizes below. Each parking space must be entirely within the designated distance of a parking lot planting area as specified below:

| Table 10–4: Location of Parking Lot Planting Areas | | |
|--|---|--|
| Size of Parking Lot Planting Area (sq. ft.) | Number of Trees In Planting Area | Max. Distance from Parking Space (feet) |
| 200-499 | 1 | 100 (1) |
| 500-899 | 3 | 130 |
| (1) Canopy trees installed as part of a required planting yard that abuts the parking lot may be used for up to 50% of the required distance | | |

Grouping canopy trees within the same landscape island or planting area is strongly encouraged, even if this would decrease the number of islands within the parking lot.

When a parking lot or other vehicular use area abuts a vacant site or a site with the same land use classification as the subject site, a planting yard with a minimum width of 5 feet must be provided between the parking lot/vehicular use area and the abutting (interior) property line. This required planting area must be landscaped with at least 2 understory trees and 18 evergreen shrubs per 100 linear feet.

Trees used to satisfy the planting requirements for parking lot areas may not be counted toward the planting requirements for other required plantings on the site.

When a parking lot or other vehicular use area abuts a vacant site or a site with the same land use classification as the subject site, a planting yard with a minimum width of 5 feet must be provided between the parking lot/vehicular use area and the abutting (interior) property line. This required planting area must be landscaped with at least 2 understory trees and 18 evergreen shrubs per 100 linear feet.

Trees used to satisfy the planting requirements for parking lot areas may not be counted toward the planting requirements for other required plantings on the site.

**Tree Preservation Requirements
Acreage**

Requirements

8.6 ac. 10% of lot size

Transportation

- Street Classification: Lewiston Road – Minor Thoroughfare.
Fleming Road – Minor Thoroughfare.
- Site Access: All access must be designed and constructed to the City of Greensboro standards.
- Traffic Counts: Lewiston Road ADT = 8,084 (GDOT, 2013).
- Trip Generation: N/A.
- Sidewalks: Sidewalks are a requirement of the Development Ordinance. 5' sidewalk with a 5' grass strip is required along both sides of thoroughfares. 5' sidewalk with a 3' grass strip is required along one side (at a minimum, collectors may require sidewalk on both sides) of all other street types. Sidewalk does not exist along the frontage of this property.
- Transit in Vicinity: No.
- Traffic Impact Study: No TIS required per TIS Ordinance.
(TIS)
- Street Connectivity: N/A.

Other: The subject site is within 850 ft of the future I-840 Urban Loop that is currently under construction and scheduled for completion in 2018.

IMPACT ANALYSIS

Land Use Compatibility

The proposed **CD-RM-12 (Conditional District, Residential Multi-Family, 12 du/ac)** zoning would allow land uses that are compatible with the general character of the area.

Connections 2025 Comprehensive Plan Policies

The Generalized Future Land Use Map (GFLUM) designates this location as **Low Residential (3-5 d.u./acre)** and **Mixed Use Corporate Park**. The requested **CD-RM-12 (Conditional District, Residential Multi-Family, 12 du/ac)** zoning district is generally inconsistent with the **Low Residential (3-5 d.u./acre)** GFLUM designation, however, per City Council adopted policy, a GFLUM amendment is not required when a rezoning request of no more than 10 acres is located within two or more future land use classifications, and at least 60% of the site lies within compatible future land use classification(s).

Connections 2025 Written Policies

Land Use, Goal 4.1 - Growth Strategy: Promote sound investment in Greensboro's urban areas, including Center City, commercial and industrial areas, and neighborhoods.

Policy 4C - Promote new patterns and intensities of use to increase economic competitiveness and enhance quality of life in urban areas.

Community Character, Goal 5.2 - Man-Made Environment: Preserve and enhance the character and visual quality of Greensboro's built environment, including historic resources, private developments, and public landscapes.

Policy 5F - Implement and improve design standards governing the appearance of development from public roadways.

Housing and Neighborhoods, Goal 6 - Meet the needs of present and future Greensboro citizens for a choice of decent, affordable housing in stable, livable neighborhoods that offer security, quality of life, and the necessary array of services and facilities.

Policy 6C - Promote the diversification of new housing stock to meet the needs of all citizens for suitable, affordable housing.

Economic Development, Goal 7: Promote a healthy, diversified economy with a strong tax base and opportunities for employment, entrepreneurship and for-profit and non-profit economic development for all segments of the community, including under-served areas such as East Greensboro.

Policy 7C - Ensure that city land use policies and regulations allow for an adequate supply of land to accommodate economic development.

Transportation, Goal 8: Develop and maintain a safe, efficient, and environmentally sound transportation system that provides convenient choices for accessing destinations throughout Greensboro and the Triad, including a range of well-integrated transit, pedestrian, and bicycle linkages.

Policy 8A - Maintain a roadway network that safely and efficiently accommodates vehicular traffic while supporting other community objectives defined in the

Comprehensive Plan.

Connections 2025 Map Policies

Low Residential (3-5 d.u./acre): This category includes the City's predominantly single-family neighborhoods as well as other compatible housing types that can be accommodated within this density range. Although there are some existing residential areas in the City developed on lots greater than 1/3 acre, future residential developments and "conventional" subdivisions should generally maintain a gross density of no less than three dwellings per acre, except where environmental constraints (e.g., the Watershed Critical Area) prevent such densities from being achieved. Compact developments that include clustered, small lots with substantial retained open space are encouraged.

Mixed Use Corporate Park: This designation is intended for large tracts of undeveloped land near the City's fringe that are appropriate for well planned, larger scale business/employment parks with supporting uses such as retail, hotels, and residential. Primary uses such as office, flex office, technology research and development, light manufacturing, distribution, and assembly should be placed in a campus-like or "corporate park" setting with generous, linked open space to maximize value and to promote visual quality and compatibility with the surrounding area. Pedestrian-friendly features such as buildings placed near the street, sidewalks, and trails leading to nearby uses such as retail and housing should be encouraged.

CONFORMITY WITH OTHER PLANS

City Plans

Consolidated Plan 2010-2014: Plan for a Resilient Community

Principle 1) Provide More Transportation Choices:

Goal A) Promote transportation and development patterns and types that contribute to decreased household transportation costs.

Goal B) Improve access to destinations, especially via alternate modes (public transit, walking, and bicycling); including the critical first and last miles of journeys.

Principle 2) Promote Equitable, Affordable Housing:

Goal B) Increase housing affordability through a combination of housing assistance and reduction in overall housing related costs through efficiency factors such as: proximity to jobs, transportation, or services; energy efficiency and resource conservation standards; or reduction in housing access barriers.

Principle 6) Value Communities and Neighborhoods:

Goal A) Promote coordinated transportation and land use decisions for broader livability throughout Greensboro.

Principle 7) Recognize The Environment as a Critical Element of Community Sustainability:

Goal A) Promote more efficient land development patterns.

Sustainability Action Plan

Element 1) Transportation and Land Use:

Policy 1) Encourage increased density, a mix of land uses and more integrated links between transportation and land use through changes to Greensboro's Comprehensive Plan, Development Ordinance and other related plans.

Element 2) Green Jobs and Buildings:

Policy 3) Develop a coordinated City program to provide technical support, energy audits and education and outreach to increase energy efficiency and conservation in commercial and residential buildings.

Policy 4) Use a combination of code changes, incentives, partnerships and education to promote green building in Greensboro.

Policy 6) Promote more efficient use of water through education, partnerships and pilot projects.

Element 3) Waste Reduction and Recycling:

Policy 7) Employ a combination of expanded recycling infrastructure, regulations and incentives to increase Greensboro's solid waste diversion and recycling rates.

Element 6) Education and Outreach:

Policy 11) Provide technical support, awards and recognition to individuals and organizations furthering Greensboro's energy and sustainability efforts.

Other Plans

N/A

STAFF/AGENCY COMMENTS

Community Development

Applicant is strongly encouraged to discuss this proposed rezoning, and development with owners of surrounding properties, and with representatives of The Cardinal Neighborhood, within which the subject site is located.

Planning

The subject property is 8.64 acres and is currently undeveloped. The properties to the north, west, and east of the subject site are zoned R-3 (single family and undeveloped). The properties south of the subject site, across Lewiston Road, are zoned O (single family residential and undeveloped).

The applicant has requested to rezone the site to CD-RM-12 (Conditional District-Residential Multi-family) to construct a maximum of 80 dwelling units. A portion of the subject property is located within the Airport Overlay District. The Airport Overlay prohibits new residential uses with densities greater than 1 unit per acre. However, when a tract is split by the boundary of the AO District, development of the entire tract may be considered exempt from this prohibition as long as the boundary line for this overlay is not adjusted more than 600 feet from the location as shown on the Zoning Map. This was intended to allow unified development of larger tracts in this area for more proficient provision of public services.

The property is currently designated as both Low Residential and Mixed Use Corporate Park on the Generalized Future Land Use map (GFLUM). The Low Residential designation is intended to include single-family neighborhoods as well as other compatible housing types that can be accommodated within a three to five units per acre density range. The Mixed Use Corporate Park designation is intended for large tracts of undeveloped land near the City's fringe that are appropriate for well planned, larger scale business/employment parks with supporting uses such as retail, hotels, and residential. Based on the size of the request and close proximity to non-residential uses, including a commercial node located at the intersection of Fleming and Lewiston Roads, the request is considered compatible with the

development trends in the area.

The proposed request supports the Comprehensive Plan's Reinvestment/Infill goal to promote sound investment in Greensboro's urban areas and the Housing and Neighborhoods goal to meet the needs of present and future Greensboro citizens for a choice of decent, affordable housing in stable, livable neighborhoods that offer security, quality of life, and the necessary array of services and facilities.

Although the area currently contains primarily single family residential uses and undeveloped properties, the area is zoned and designated on the future land use map to encourage a mixture of uses. Existing services are available in close proximity to future residents of the proposed development and the area will likely expand to include both additional business and residential opportunities.

Staff finds this rezoning request consistent with the applicable provisions of the Comprehensive Plan, the Zoning Ordinance and the development pattern of the surrounding area.

STAFF RECOMMENDATION

Staff recommends **approval** of the requested **CD-RM-12** (Conditional District-Residential Multi-Family) zoning district.